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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Michael Sharon

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Group Art Unit: Unknown

Serial No. 10/755/161

Examiner: Unknown

For: ROTATIONAL FILING SYSTEM FOR COMPACT DISKS.

Filed: 1/12/2004

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

The Commissioner of Patents and Trademarks  
Washington, D. C. 20231

Dear Sir:

Pursuant to 37 CFR Sections 1.56, 1.97 and 1.98, the undersigned attorney for the applicant advises the U. S. Patent and Trademark Office of the references known to applicant as set forth in form PTO/SB/08A attached hereto and made a part hereof. Applicant is submitting the following references which has come to Applicant's attention after submitting the first Information Disclosure Statement, received by the USPTO on January 12, 2004 with the Application. This Supplemental Information

Disclosure Statement is made before the mailing date of a first Office action on the merits regarding Applicant's application (MPEP 609).

**US Patent 2003/0085139 A1** discloses a stackable design for organization and storage of a plurality of CD's. As distinct from the present invention, each disk is stored in a separate case and contained within a cavity. The indicia tab, disclosed in this patent is molded onto the side wall or circumference of each container and aids in prying open each container of the stack. This patent fails to suggest or disclose a separate carrier or planar surface to which each CD is attached, as presently claimed, and teaches away from the present invention by requiring each disk to be stored in a separate case forming a stackable design. The present invention overcomes this requirement by storing a plurality of CD-carrier combinations in a common housing. Furthermore, the indicia tab of the present invention extends from the carrier. This is an unobvious distinction over extending the tab from the side wall of each container as disclosed in the cited patent.

The indicia tab of **US Patent 1,530,142** extends directly from the record (disk). There is absent any suggestion or disclosure of extending the tab from a carrier in combination with a compact disk as presently claimed. The application of the carrier to each disk, as presently claimed, is an unobvious distinction over this cited patent.

**US Patent 1,423,206** discloses a sticker or alternatively a "cue clip" containing identifying indicia that is attached to the circumference of each disk. There is absent any suggestion of an indicia tab extending from the carrier, not the disk, in a disk carrier-combination as presently claimed.

**US Patent 2,535,262** once again fails to suggest or disclose a carrier in combination with

the disk and extending the identifying tab from the carrier. This patent prefers to removably attach the tab directly to the disk.

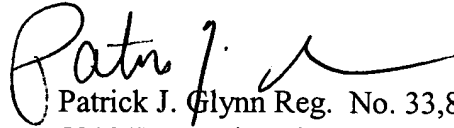
The CD plurality of individual CD holder plates of **US Patent 5,586,650** are not rotational as in the case of the carrier of the present invention. Each holder is fixed to a transverse groove for storing a plurality of holder plates in a single container. Neither the holder plate, the board extending from the holder and the index sticker mounted to the extension board can rotate upon a common axis as presently claimed.

The case members of **US Patent 4,971,195** are not configured to rotate upon a common axis as presently claimed. Likewise, the disk containers of **US Patent 1,349,272** and **US Patent 1,274,191**, and the disk shelf of **US Patent 4,236,768** are not configured to rotate upon a common axis.

Lastly, the rotational axis in the configuration disclosed in **US Patent 5,848,688** for storage and retrieval of compact disks within separate containers is outside the circumference of each disk in the configuration (Fig. 1). Thus, the rotational axis is significantly displaced from the rotational axis of the present invention that extends through the center of each hole in the compact disk. The '688 Patent therefore teaches away from the present invention in the rotational storage and retrieval of compact disks. The same is true regarding **US Patent 2,922,527**. As seen in Fig. 1 therein, the axis of rotation is located outside the circumference of each phonograph record in the configuration disclosed for the storage and retrieval of phonograph records.

Respectfully submitted,

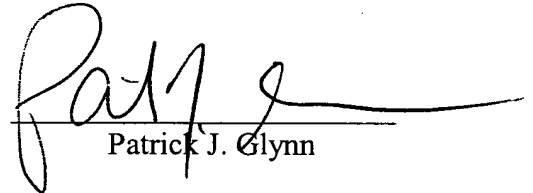


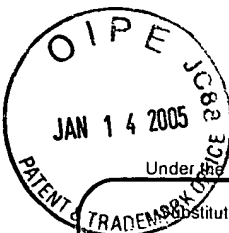
  
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CERTIFICATE OF MAILING

I hereby certify that the above-noted paper is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Mail Stop Patent Application Commissioner for Patents. P.O. Box 1450, Alexandria, VA 22313-1450 on January 19, 2005.

  
Patrick J. Glynn



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<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(Use as many sheets as necessary)</i>		<b>Complete if Known</b>	
		Application Number	10/755/161
		Filing Date	01/12/2004
		First Named Inventor	MICHAEL SHARON
		Art Unit	UNKNOWN
		Examiner Name	UNNOWN
Sheet ONE	of ONE	Attorney Docket Number	SHARON.01

U. S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		US- 2003/0085139 A1	05/08/2003	KENNETH A. LORITZ	[0047] [0048] [0049]
		US- 1,530,142	03/17/1925	A.B. SMITH	FIG 1
		US- 1,423,206	07/18/1922	J.H. GEDDES	FIG 3
		US- 2,535,262	12/26/1950	E.L. BROWNSEY	FIG. 1
		US- 5,586,650	12/24/1996	SHENG-FU YEH	FIG 2
		US- 4,971,195	11/20/1990	MASHUHIRO MITSUYAMA	FIG 1
		US- 1,349,272	08/10/1920	G.E.FOSS	FIG 1
		US- 1,274,191	07/30/1918	M.G. NIXON	FIG'S I & 2
		US- 4,236,768	12/02/1980	JAMES MORRONE	FIG 1
		US- 5,848,688	12,15,1998	MARKUS PALOHEIMO	FIG'S 1 & 6
		US- 2,922,527	01/26/1960	E.A. FINN	FIG'S 1 & 2
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FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				

Examiner Signature	Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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